

EL 983172473US

ATTORNEY DOCKET NO. KW0-18502/01

DECLARATION, POWER OF ATTORNEY AND PETITION

As the below named inventor, I hereby declare:

my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Horseshoe-like Hoof Pad Lining the specification of which

☒ is attached hereto.

☐ was filed on _____

as Application Serial No. _____

and was amended on _____

(if applicable).

☐ was described and claimed in PCT International Application No. _____

and as amended under PCT Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIORITY CLAIM UNDER 35 USC § 119(a)-(d)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign applications(s) for patent or inventor's certificates or of any PCT International Applications designating at least one country other than the U.S. listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT International Applications designating at least one country other than the U.S. having a filing date before that of the application on which priority is claimed:

☐ no such applications have been filed

☒ application(s) listed below:

Filed Within Twelve Months (Six Months For Design) Of This Application

202 19 286.5	Germany	Dec.12.2002
(Number)	(Country)	(Day/month/year filed)

(Number)	(Country)	(Day/month/year filed)
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(Number)	(Country)	(Day/month/year filed)
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CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION UNDER 35 USC § 119(e)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional application listed below:

PROVISIONAL APPLICATION NO.

FILING DATE

_____ / _____

CLAIM FOR BENEFIT OF EARLIER APPLICATIONS UNDER 35 USC §120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT International Application(s) designating the U.S. listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(App. Serial No.)	(Filing date)	(Status) (patented, pending, abandoned)
1	1/1/1980	patented
2	2/1/1980	pending
3	3/1/1980	abandoned

[illegible]

PRIOR FOREIGN APPLICATIONS

(Filed More Than Twelve Months (Six Months for Design) Prior To This Application)

(Number)	(Country)	(Day/month/year filed)
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(Number)	(Country)	(Day/month/year filed)
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(Number)	(Country)	(Day/month/year filed)
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POWER OF ATTORNEY

And I hereby appoint Ernest I. Gifford, P.O. Reg. No. 20,644; Allen M. Krass, P.O. Reg. No. 18,277; Irvin L. Groh, P.O. Reg. No. 17,505; Douglas W. Sprinkle, P.O. Reg. No. 27,394; Alfred L. Patmore, Jr., P.O. Reg. No. 19,145; Thomas E. Anderson, P.O. Reg. No. 31,318; Ronald W. Citkowski, P.O. Reg. No. 31,005; Judith M. Riley, P.O. Reg. No. 31,561; Theresa A. Orr, P.O. Reg. No. 34,890; Douglas J. McEvoy, P.O. Reg. No. 34,385; Ellen S. Cogen, P.O. Reg. No. 38,109; Roberta J. Morris, P.O. Reg. No. 33,196; John G. Posa, P.O. Reg. No. 37,424; as my attorneys, and Nancy M. Klemhus, P.O. Reg. No. 40,051, patent agent, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Send all correspondence to: Ernest I. Gifford, 280 N. Woodward Avenue, Suite 400, Birmingham, Michigan 48009; Telephone (810) 647-6000.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore, I pray that a Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of sole or first inventor Karl Rafeld

Inventor's signature *Karl Rafeld*

Date 27 November 2003 Citizenship German

Residence Fronschwenden 77, D-87499 Wildpoldsried
Post Office Address same as above

Full name of second, joint inventor, if any _____

Inventor's signature _____

Date _____ Citizenship _____

Residence _____
Post Office Address _____

Full name of third, joint inventor, if any _____

Inventor's signature _____

Date _____ Citizenship _____

Residence _____
Post Office Address _____

VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c)-(d) and 1.27(b)-(d))

With respect to the invention by Karl Rafeld
entitled Horseshoe-like Hoof Pad Lining described in

☒ the specification filed herewith

☐ application no. _____, filed _____

☐ patent no. _____, issued _____

I. IDENTIFICATION OF DECLARANT AND RIGHTS AS A SMALL ENTITY

I hereby declare that I am

(a) Independent Inventor

☐ a below named independent inventor, and that I qualify as an independent inventor, as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office.

(b) Non-inventor Supporting a Claim By Another

☐ making this verified statement to support a claim by _____ for a small entity status for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, and I hereby declare that I would qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, if I had made the above identified invention.

(c) Small Business concern

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CERA Handelsgesellschaft mbH

ADDRESS OF CONCERN Am Bärenwald 4, D - 87600 Kaufbeuren, Germany

That the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

(d) Non-Profit Organization

☐ an official empowered to act on behalf of the nonprofit organization identified below.

NAME OF ORGANIZATION: _____

ADDRESS OF ORGANIZATION: _____

TYPE OF ORGANIZATION

- ☐ University or other institution of higher education
- ☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
- ☐ Nonprofit scientific or educational under Statute of State of the United States of America
(Name of State _____)
(Citation of Statute _____)
- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)), if located in the United States of America
- ☐ Would qualify as nonprofit scientific or educational under Statute of State of the United States of America if located in the United States of America
(Name of State _____)
(Citation of Statute _____)

and that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code.

II. OWNERSHIP OF INVENTION BY DECLARANT

I hereby declare that rights under contract or law remain with and/or have been conveyed to the above identified

- ☐ person (item (a) or (b) above)
- ☒ concern (item (c) above)
- ☐ organization (item (d) above)

EXCEPT, that if the rights held are not exclusive, each individual, concern having rights to the invention is listed below and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e)

- ☒ no such person, concern or organization
- ☐ person, concerns or organizations listed below

FULL NAME _____ ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

IV. DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Karin Rafeld-Cech

TITLE OF PERSON Managing Director

ADDRESS OF PERSON SIGNING Am Bärenwald 4, D-87600 Kaufbeuren, Germany

SIGNATURE  DATE 28 November 2003
Karin Rafeld